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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Chudzik et al.**Conf. No.:** 4946**Serial No.:** 10/710,947**Art Unit:** 2858**Filing Date:** 08/13/2004**Examiner:** He, Amy**Title:** METHOD FOR THE DETERMINATION OF FILM CONTINUITY IN THIN DIELECTRIC FILM**Docket No.:** FIS920040092US2  
(IBMF-0066)Refund Ref#  
09/10/2007 0030044571Mail Stop Petitions  
Commissioner for Patents  
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Ab Expt# XXXXXXXXXX1027

**PETITION TO WITHDRAW HOLDING OF****ABANDONMENT UNDER 37 C.F.R. § 1.181(a)****ALTERNATIVELY, PETITION TO REVIVE UNINTENTIONALLY ABANDONED****APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Sir:

This Petition is being filed subsequent to the Notice of Abandonment mailed January 9, 2007.

**A) Petition to Withdraw Holding of Abandonment:**

Applicants submit that the Notice of Abandonment citing Applicants' alleged failure to timely file a proper reply to the Office Action mailed on May 23, 2006 is improper, and respectfully submit:

1) On August 21, 2006, Applicants filed, via facsimile, an Amendment in response to the Office Action.

02/01/2007 TL0111 00000031 10710947

01 FC:1453 1500.00 0P

Adjustment date: 09/10/2007 CKH:OK  
09/10/2007 TL0111 00000031 10710947  
-1500.00 0P

10/710947

1

Respectfully submitted,

/Spencer K. Warnick/

Spencer K. Warnick  
Reg. No.: 40,398

Date: March 14, 2007

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

UNITED STATES PATENT & TRADEMARK OFFICE  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: \_\_\_\_\_ 2 Serial/Patent # 10/710947

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
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	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
<input checked="" type="checkbox"/>	Assignment			\$
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		7 TOTAL AMOUNT OF REFUND	\$

10 REASON:		8 TO BE REFUNDED BY: <u>Credit and</u>
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):  <i>Ref 1376 not necessary</i>	9 <input type="checkbox"/> -- <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

11 REFUND REQUESTED BY:	
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TITLE: ATTY  
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OFFICE: OP

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APPROVED: Chubb DATE: 9/10/87

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